

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

IRMA GARZA
Plaintiff,

Vs.

THE CITY OF EDINBURG, TEXAS
RICHARD MOLINA, DAVID TORRES,
JORGE SALINAS and GILBERT
ENRIQUEZ
Defendants.

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CIVIL ACTION NO. 7:18-CV-267

Plaintiff's Response to Defendants' Second Motion for Judgment on the Pleadings

EXHIBIT B

Deposition Excerpts of Mayra Garza

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

IRMA GARZA) (
Plaintiff) (
) (
VS.) (CIVIL ACTION NO.
) (7:18-cv-267
THE CITY OF EDINBURG,) (
TEXAS, RICHARD MOLINA,) (
DAVID TORRES, JORGE) (
SALINAS AND GILBERT) (
ENRIQUEZ) (
Defendants) (

ORAL AND VIDEOTAPED DEPOSITION OF
MYRA GARZA
APRIL 24, 2019

ORAL AND VIDEOTAPED DEPOSITION OF MYRA GARZA,
produced as a witness at the instance of the PLAINTIFF,
taken in the above styled and numbered cause on
April 24, 2019, between the hours of 4:06 p.m. and 5:39
p.m., reported stenographically by JOHN W. FELLOWS,
Certified Court Reporter No. 3335, in and for the State
of Texas, at the offices of GUERRA, LEEDS, SABO &
HERNANDEZ, PLLC, 10213 North 10th Street, McAllen,
Texas, pursuant to the Federal Rules of Civil Procedure
and any provisions stated on the record or attached
therein.

BRYANT & STINGLEY, INC.
Harlingen (956) 428-0755 **McAllen (956) 618-2366**

APPEARANCES

COUNSEL FOR PLAINTIFF:

DAVID L. FLORES
FLORES & TORRES, LLP
118 EAST CANO STREET
EDINBURG, TEXAS 78539

COUNSEL FOR DEFENDANT THE CITY OF EDINBURG, TEXAS:

YSMAEL D. FONSECA
CASSANDRA HERNANDEZ
GUERRA, LEEDS, SABO & HERNANDEZ, PLLC
10213 North 10th Street
McAllen, Texas 78504

COUNSEL FOR DEFENDANTS RICHARD MOLINA, DAVID TORRES,
JORGE SALINAS AND GILBERT ENRIQUEZ:

J. ARNOLD AGUILAR
AGUILAR & ZABARTE, LLC
990 Marine Drive
Brownsville, Texas 78520

ALSO PRESENT:

ALBERT GONZALEZ, Videographer (B&S)

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Attached to the end of the transcript: Stipulations

EXHIBITS

(No Exhibits Marked)

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16:32 1 A. Correct.

16:32 2 Q. About the potential terminations?

16:32 3 A. Correct.

16:32 4 Q. So that was different, would you say, than the
16:32 5 other two elections?

16:32 6 A. In that aspect, yes.

16:32 7 Q. Okay.

16:32 8 A. Yes.

16:32 9 Q. And -- so you mentioned several names:

16:32 10 Ponciano Longoria was one of them, correct?

16:32 11 A. Correct.

16:32 12 Q. Now, were you aware or did you ever become
16:32 13 aware of an allegation that there was a list of
16:33 14 individuals that were -- that were being specifically
16:33 15 targeted for termination by Mayor Molina?

16:33 16 A. I did hear about a list, although I never saw
16:33 17 it, and I'm not sure where that comment --

16:33 18 Q. Okay.

16:33 19 A. -- originated from.

16:33 20 Q. You never saw a list, but you heard about a
16:33 21 list?

16:33 22 A. Correct.

16:33 23 Q. Okay. Now, did they say it was a written list
16:33 24 or list in somebody's head; do you know?

16:33 25 A. I can't say for certain --

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16:33 1 Q. Okay.

16:33 2 A. -- whether it was a written list. I don't
16:33 3 think it was a list in someone's head.

16:33 4 Q. So you're saying there was an actual physical
16:33 5 list of names --

16:33 6 A. I think there might have been an actual
16:33 7 physical list. But that's just an assumption on my
16:33 8 part.

16:33 9 Q. And who were the people that were on this list?

16:33 10 MR. AGUILAR: Objection, speculation.

16:33 11 Q. What is your understanding of who was on the
16:33 12 this list?

16:33 13 A. Okay. So my understanding on the list was,
16:33 14 myself; Irma; Ramiro Gomez; the city manager.

16:34 15 Q. Richard Hinojosa?

16:34 16 A. Richard Hinojosa.

16:34 17 Q. Uh-huh.

16:34 18 A. Who else? Finance director.

16:34 19 Q. Who was that?

16:34 20 A. Asencion Alonzo. Who else? Who did I say
16:34 21 already? Can you repeat?

16:34 22 Q. Yourself.

16:34 23 A. Myself.

16:34 24 Q. Irma Garza.

16:34 25 A. Correct.

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16:34 1 Q. Ramiro Gomez.
16:34 2 A. Correct.
16:34 3 Q. Ascension Alonzo.
16:34 4 A. Correct. Oh.
16:34 5 Q. Richard --
16:34 6 A. Sean Snyder.
16:34 7 Q. Okay.
16:34 8 A. Okay. Go ahead.
16:34 9 Q. And Richard Hinojosa.
16:34 10 A. Richard Hinojosa.
16:34 11 Q. Was Ponciano Longoria on that list?
16:34 12 A. Ponciano Longoria.
16:34 13 Q. Was Maribel Velasquez?
16:35 14 A. Maribel Velasquez definitely.
16:35 15 Q. Leo Gonzalez?
16:35 16 A. Leo Gonzalez. And Sonia Marroquin.
16:35 17 Q. Okay. Blanca Rodriguez?
16:35 18 A. No.
16:35 19 Q. No?
16:35 20 A. No.
16:35 21 Q. Anyone else?
16:35 22 A. I'm not sure -- I'm not sure if Joe Filoteo.
16:35 23 Q. Okay.
16:35 24 A. I'm trying to think of all the directors.
16:35 25 Q. Yes, ma'am.

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16:47 1 Q. Okay.

16:47 2 A. -- to make that move.

16:47 3 Q. Did you speak to Richard Molina about this
16:47 4 move?

16:47 5 A. When he -- when he addressed it, yeah, I did.
16:48 6 When he addressed it -- because the first time he
16:48 7 called me that he needed to meet with me was the same
16:48 8 day that he told me.

16:48 9 Q. Who's he that you --

16:48 10 A. Richard Molina -- Richard Hinojosa. Oh, I'm
16:48 11 sorry. Did you say did I speak to Richard Hinojosa or
16:48 12 Molina?

16:48 13 Q. Molina.

16:48 14 A. Negative. I did not.

16:48 15 Q. Never?

16:48 16 A. No.

16:48 17 Q. Okay. Did you speak to any of the other
16:48 18 council members about that?

16:48 19 A. About making the move?

16:48 20 Q. Yes.

16:48 21 A. I did speak to Jorge Salinas. He -- he,
16:48 22 pretty much, told me that -- that for me -- because I
16:48 23 had -- when the election happened and there was this
16:48 24 hearsay of this list, I asked him point blank, Am I on
16:48 25 that list?

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16:51 1 Q. Why would you feel they didn't want you as city
16:51 2 secretary?

16:51 3 A. Because of that list that was floating around
16:51 4 either in someone's head or physical list that,
16:51 5 apparently, I was on that list.

16:51 6 Q. Do you know whether or not they already had
16:51 7 intended on placing someone else at that same position
16:51 8 as city secretary?

16:51 9 MR. AGUILAR: Objection, speculation.

16:51 10 A. Yes. Yes. There's a gentleman named Tim Senna
16:51 11 that works with me. We were conducting an election,
16:51 12 and he made a comment, because there was another
16:51 13 employee named Many Villegas that asked, What's going
16:51 14 to happen to you? Because --

16:51 15 Q. To you, meaning to you?

16:51 16 A. To my position, to me.

16:51 17 Q. Okay.

16:51 18 A. Because I was their supervisor.

16:51 19 Q. Tim Senna worked under you?

16:51 20 A. Tim Senna worked under me. Many Villegas
16:51 21 worked under me. So the three of us were there, and I
16:52 22 was explaining to Many, I said, Listen, don't worry
16:52 23 about it. My position is appointed, you know. I could
16:52 24 be appointed or, you know, removed at any time. And I
16:52 25 said, But don't -- you-all don't worry about your

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REPORTER'S CERTIFICATION
ORAL AND VIDEOTAPED DEPOSITION OF
MYRA GARZA
APRIL 24, 2019

I, JOHN W. FELLOWS, Certified Court Reporter, certify that the witness, MYRA GARZA, was duly sworn by me, and that the transcript is a true and correct record of the testimony given by the witness on April 24, 2019; that the deposition was reported by me in stenograph and was subsequently transcribed under my supervision;

Pursuant to Federal Rule 30(5)(e)(2), a review of the transcript was requested.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, nor am I financially interested in the action.

WITNESS MY HAND on this the 6th

May, 2019.

John W. Fellows
JOHN W. FELLOWS, Texas CSR 3335
Expiration Date: 04-30-21
Bryant & Stingley, Inc., CRN No. 512
1305 East Nolana, Suite D
McAllen, Texas 78504
(956) 618-2366



BRYANT & STINGLEY, INC.

Harlingen (956) 428-0755

McAllen (956) 618-2366